

Waterloo, Iowa March 8, 2022

The Board of Supervisors of the County of Black Hawk, in the State of Iowa, met in regular adjourned meeting at the Courthouse in Waterloo, County Seat of said County, and electronically via Zoom, at nine o'clock (9:00) a.m., pursuant to law, to the rules of said Board, and to adjournment. The meeting was called to order and on roll call there were present: Linda Laylin, Tom Little, Chris Schwartz, Dan Trelka and Craig White, Chair.

Absent: None.

Unless otherwise noted, all actions were approved unanimously.

Moved by Laylin, seconded by Trelka that the AGENDA be received and place on file with the County Auditor as approved. Motion carried.

Laylin moved the following resolution seconded by Little.

BE IT HEREBY RESOLVED by the Board of Supervisors of Black Hawk County, that the Board of Supervisors APPROVE EXPENDITURES, and that the County Auditor be authorized and directed to ISSUE CHECKS, against the various settlement of such claims as allowed:

GENERAL BASIC FUND

26523	IA DEPT OF REV	st pay	26,260.99
26524	IPERS	ipers	219,579.22
26527	EBC	flx sp	2,560.61
26530	BICKLEY, MARK	svc	710.00
26532	BH RENTAL	eqp rent	53.50
26535	CDW GOVERNMENT INC	supl	1,070.94
26539	CONVERGE ONE INC	svc	5,368.89
26540	DEPT OF CORRECTIONAL SVCS	oth pay	36,606.49
26541	DUNCAN, TARA	svc	455.00
26542	EHRlich , BETH	svc	95.50
26543	FASTENAL CO	supl	18.49
26546	FRESH START CLEANING SOLS INC	svc	19,166.66
26547	FULLER, ANGELA	svc	245.00
26549	GORDON FLESCH CO INC	svc	33.90
26551	KARENS PRINT RITE	supl	32.75
26554	MAIL SVCS LLC	svc	7,663.71
26555	MARTIN REALTORS INC	rent	200.00
26557	MENARDS CF	supl	61.44
26559	MENARDS WLOO	supl	122.33
26560	MPH INDUSTRIES INC	svc	211.45
26561	NEWGREN TODD	reimb	8.26
26562	NORTHERN SAFETY CO INC	supl	109.68
26565	PER MAR SECURITY SVCS	svc	5,868.72
26566	SCHROCK PROPS LLC	rent	200.00
26567	SLED SHED	supl	80.97
26568	STOREY KENWORTHY	supl	538.95
26574	AHLBERG , TINA	reimb	86.00
26575	AMADOR, KELLY	reimb	29.00
26576	HAHN, ADAM	reimb	86.00
26577	HEINEN ERIC	reimb	29.00
26578	PARMATER, JARED	reimb	115.00
331131	ADVANCE AUTO PARTS	supl	10.35
331132	AL-TERBAL, ADIL	rent	250.00
331133	AMAZON CAPITAL SVCS INC	supl	834.12
331134	AT&T	util	83.72
331135	BREMER CO	trans	995.00
331136	CEDAR VALLEY REPORTING LLC	svc	385.75
331139	COURIER	publ	111.82
331141	DICKEYS PRINTING	unif	150.00
331142	DIVE RESCUE INTL	unif	2,532.00
331143	DOLLESLAGER RICK	svc	500.00
331145	DURA WAX CO	svc	245.40
331146	FEDEX	svc	132.45
331148	GREENS SUGARBUSH	supl	717.00
331149	GREINER LAW OFFICE PC	sbc	390.00
331151	HUDSON PRINTING CO INC	publ	1,415.74
331152	IA EMPLOYMENT CONFERENCE	conf	750.00
331153	IA LAW ENFORCEMENT ACADEMY	training	300.00
331154	IA PRISON INDUSTRIES	svc	205.70
331155	IA ST MEDICAL EXAMINER	svc	2,442.00

331157	JURGENSENK	svc	104.47
331162	LPC CONNECT	util	179.49
331163	MALLORY SAFETY & SUPL LLC	unif	82.99
331164	MERCYONE	svc	1,248.00
331165	MID AMERICAN ENERGY	util	10,801.80
331166	MID AMERICAN ENERGY	util	62.38
331167	MID AMERICAN ENERGY	util	10,970.03
331168	MID AMERICAN ENERGY	util	6,619.41
331172	MID AMERICAN ENERGY	util	1,144.76
331176	OFFICE DEPOT	supl	27.28
331177	PEOPLES COMMUNITY HEALTH	supl	56.90
331179	POWESHIEK WATER ASSOC	util	312.50
331180	PRESTO-X	svc	32.00
331181	PRO LINER INC	svc	1,400.00
331183	SAFELITE FULFILLMENT INC	eqp rpr	92.98
331185	SHELBY CO SHERIFF	svc	2,028.00
331186	SHIVE-HATTERY INC	svc	1,785.80
331187	STANARD & ASSOC INC	svc	267.50
331188	SUMMIT FOOD SVC, LLC	food	10,386.49
331189	TITAN PROPERTY INVESTMENT	rent	250.00
331191	UNITED PARCEL SVC	postage	26.64
331192	UNITY POINT	svc	48.00
331193	UNITY POINT	svc	106.00
331194	US CELLULAR	util	277.20
331196	VOSHELL MICHAEL	rent	200.00
331197	VWR INTL LLC	supl	317.66
331198	WASTE MGMT OF WI-MN	svc	3,411.07
331199	WLOO CITY OF	fuel	13,622.58
331200	WLOO WATER WORKS	util	6,269.97
331201	WLOO WATER WORKS	util	452.88
331202	WAVERLY TIRE CO	eqp rpr	660.00
331203	WILSON, ELIZABETH	reimb	350.00
331204	WOOLVERTON PRINTING CO	supl	19,504.06

GENERAL SUPPLEMENTAL FUND

26523	IA DEPT OF REV	st pay	247.00
26524	IPERS	ipers	2,034.33
26545	FOUR OAKS INC	shlt	10,869.45
331130	MCCUNNIFF, CAROL	reimb	202.73
331150	HANDS UP COMM	svc	654.50
331160	LAMBERT, ALFONZO	reimb	139.01
331190	TREASURER ST OF IA	oth pay	175,584.00

CO SVCS FUND

26523	IA DEPT OF REV	st pay	119.00
26524	IPERS	ipers	851.76

RURAL BASIC FUND

26523	IA DEPT OF REV	st pay	1,735.01
26524	IPERS	ipers	15,930.42

SECONDARY ROADS FUND

26523	IA DEPT OF REV	st pay	3,689.00
26524	IPERS	ipers	29,631.74
26529	ANTON SALES	supl	52.30
26533	BLACK HILLS ENERGY	util	1,303.79
26536	CF CITY OF	fuel	596.32
26537	CF UTIL	util	8.50
26538	CF UTIL	util	56.79
26544	FIX TIRE CO	eqp rpr	191.59
26549	GORDON FLESCH CO INC	svc	89.60
26550	IA REGIONAL UTIL ASSOC	util	58.45
26558	MENARDS CF	supl	35.60
26563	NORTHLAND PRODUCTS CO	supl	1,610.80
26569	SUPERIOR WELDING SUPL	supl	76.50
26570	THOMAS JAMES LLC	svc	17.50

26572	WELTER STORAGE EQUIP	svc	982.00
331133	AMAZON CAPITAL SVCS INC	supl	593.49
331138	COMMUNITY ELECTRIC INC	supl	504.00
331144	DONS TRUCK SALES INC	supl	1,008.03
331147	FERTILIZER DEALER SUPL	supl	176.90
331154	IA PRISON INDUSTRIES	supl	632.25
331158	LA PORTE CITY UTIL	util	527.80
331159	LA PORTE MOTOR SUPL INC	supl	138.57
331161	LIBERTY TIRE RECYCLING LLC	svc	700.12
331162	LPC CONNECT	util	38.89
331169	MID AMERICAN ENERGY	util	18.99
331170	MID AMERICAN ENERGY	util	38.50
331171	MID AMERICAN ENERGY	util	1,122.66
331173	MITCHELL1	svc	230.00
331174	NAPA AUTO PARTS	supl	25.57
331175	ODEN ENTERPRISES INC	supl	30,187.12
331178	PHELPS UNIFORM SPECIALIST	svc	55.75
331184	SAM ANNIS & CO	supl	2,090.15
331195	VERIZON WIRELESS	utl	809.17
331199	WLOO CITY OF	fuel	150.28

RESOURCE/ENHANCE/PROTECT FUND

331186	SHIVE-HATTERY INC	svc	2,811.00
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RECORDER'S RECORD MGT FUND

26548	GORDON FLESCH CO INC	svc	656.27
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JAIL COMMISSARY FUND

26523	IA DEPT OF REV	st pay	110.00
26524	IPERS	ipers	1,164.64
26534	BOB BARKER CO INC	supl	2,685.36
26552	KEEFE SUPL CO	food	544.08
26556	MCKEE FOODS	food	140.30

CONSERVATION TRUST FUND

26557	MENARDS CF	supl	88.49
331133	AMAZON CAPITAL SVCS INC	supl	24.99

ARP FUND

26564	PATTERSON DENTAL SUPL INC	eqp	2,060.73
26571	URBAN SVCS LLC	eqp	21,724.41
331133	AMAZON CAPITAL SVCS INC	eqp	736.83

EMA RADIO SYSTEM-CAP FUND

331140	DELTAWRX	svc	20,331.90
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TECHNOLOGY EQUIP FUND

26573	ZOHO CORP	svc	10,755.00
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RURAL WATER FUND

331200	WLOO WATER WORKS	util	231.41
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RURAL SEWER FUND

26571	URBAN SVCS LLC	util	1,617.20
331200	WLOO WATER WORKS	util	231.42

INS TRUST FUND

26525	NAVITUS HEALTH SOLS	ins	71.98
26526	NAVITUS HEALTH SOLS	ins	33,447.93
26528	PREFERRED ONE INS CO	ins	77,749.35

SELF-INSUR/LIAB,PROP ETC FUND

331156 JOHNS AUTO BODY eqp rpr 563.20

SOLID WASTE ADMIN FUND

26523 IA DEPT OF REV st pay 213.00  
26524 IPERS ipers 1,394.14

EMERGENCY MGMT FUND

26523 IA DEPT OF REV st pay 126.00  
26524 IPERS ipers 846.91  
331137 CENTURYLINK util 67.77  
331139 COURIER THE publ 65.57  
331182 RAPIDS REPRODUCTIONS INC eqp 100.00

CONS COMM FUND

26523 IA DEPT OF REV st pay 2,332.00  
26524 IPERS ipers 19,390.34

CO ASSESSOR FUND

26523 IA DEPT OF REV st pay 1,104.00  
26524 IPERS ipers 8,972.56  
26531 BHC TREASURER svc 5,000.00  
26568 STOREY KENWORTHY supl 101.79  
331199 WLOO CITY OF fuel 212.62

AYES: Laylin, Little, Schwartz, Trelka, White.

NAYS: None. Resolution adopted.

RECEIVE PROJECT UPDATES FROM DEPARTMENT HEADS/ELECTED OFFICIALS. County Engineer Cathy Nicholas said that roads are in good condition following the late snow event and staff are washing and cleaning vehicles to get ready for the expected snow event on Thursday.

Health Department Director Nafissa Cisse-Egbuonye said that the COVID-19 infection rate for the community is now in the low category.

Moved by Laylin, seconded by Little that the MINUTES of the Board Meeting held March 1, 2022 be and are hereby approved as submitted. Motion carried.

**CONSENT AGENDA**

Laylin moved the following RESOLUTION seconded by Trelka.

A. TO APPROVE, RECEIVE, PLACE ON FILE WITH THE COUNTY AUDITOR

1. The Board of Supervisors APPROVE INTERGOVERNMENTAL JOURNAL ENTRIES, and that the County Auditor be authorized and directed to TRANSFER monies within the various funds as submitted. (None)
2. The PAYROLL ADJUSTMENTS submitted by the various departments and the County Auditor be authorized and directed to adjust his records accordingly.

<u>NAME</u>	<u>TITLE</u>	<u>TO</u>	<u>DATE</u>	<u>CHANGE</u>
<b>BOARD OF SUPERVISORS</b>				
LAMB, LISA M	TEMPORARY ADMIN AIDE III	22.59	2/25/2022	TERMINATION PENDING
ZWANZIGER, KAYLA L	ADMIN AIDE III	23.46	3/1/2022	RETURN FROM UNPAID LEAVE
<b>SHERIFF, TONY THOMPSON</b>				
CARNEY, KENDRA R	CIVILIAN DISPATCHER	23.34	3/3/2022	SCHEDULE/SHIFT CHANGE
FREGOSO, MIGUEL G	CIVILIAN DETENTION OFFICER	24.19	2/20/2022	ANNUAL STEP INCREASE
GANDER, ALIAH	CIVILIAN DETENTION OFFICER	22.52	2/28/2022	COMPLETION OF PROBATION
HORN, CONNER W	DEPUTY SHERIFF	26.99	2/28/2022	PROMOTION
JACOBSON, KYLE G	CIVILIAN DETENTION OFFICER	22.52	2/23/2022	COMPLETION OF PROBATION
KRAMER, DALTON C	CIVILIAN DETENTION OFFICER	23.34	2/21/2022	TERMINATION PENDING
MAINS, JUSTIN M	DEPUTY SHERIFF	26.99	2/28/2022	PROMOTION
MARTINELLI, LISA M	BOOKING CLERK	22.52	3/4/2022	TERMINATION PENDING
O'ROURKE, SIERRA	MASTER CONTROL TECHNICIAN	22.52	2/23/2022	COMPLETION OF PROBATION
SILLMAN, PHILLIP B	CIVILIAN DETENTION OFFICER	23.34	2/20/2022	TERMINATION PENDING
<b>TREASURER, RITA SCHMIDT</b>				
SMITH, SARA	OFFICE SPECIALIST	17.23	2/23/2022	COMPLETION OF PROBATION
<b>RECORDER, SANDIE SMITH</b>				
KASTLI, RHONDA	OFFICE SPECIALIST	17.23	1/26/2022	COMPLETION OF PROBATION

3. The Sheriff's MONTHLY REPORT of fees as of February 28, 2022.
- B. TO RECEIVE AND PLACE ON FILE WITH THE COUNTY AUDITOR
1. The MANURE MANAGEMENT PLAN (MMP) update submitted by Greg Beierschmitt Facility ID# 58517 located at 9504 Goeller Road, Fairbank, in Black Hawk County pursuant to 567 Iowa Administrative Code §455B.
- AYES: Laylin, Little, Schwartz, Trelka, White.
- NAYS: None. Resolution adopted.

**CONSENT AGENDA ENDS**

Laylin moved the following resolution seconded by Trelka.  
 BE IT HEREBY RESOLVED to proclaim the month of March as Brain Injury Awareness Month.  
 AYES: Laylin, Little, Schwartz, Trelka, White.  
 NAYS: None. Resolution adopted.

Laylin moved the following resolution seconded by Trelka.  
 BE IT HEREBY RESOLVED that the 28E Agreement between Black Hawk County and the City of Elk Run Heights defining roadway maintenance activities and bridge inspections on portions of Elk Run Road be approved and direct the chair to sign the same as recommended by Catherine Nicholas, County Engineer.  
 Nicholas said that the city is paying \$350 a year, which more than covers the county's cost.  
 AYES: Laylin, Little, Schwartz, Trelka, White.  
 NAYS: None. Resolution adopted.

Trelka moved the following resolution seconded by Laylin.  
 BE IT HEREBY RESOLVED that the TAX SALE CERTIFICATE ASSIGNMENT for one (1) vacant lot (Parcel 8913-13-379-010) located in Waterloo, Iowa, pursuant to §446.31 of the Code of Iowa be approved and said Certificate of Purchase of Tax sale be assigned to Situs Cultivation, LLC, as recommended by Rita Schmidt, County Treasurer. The delinquent taxes and special assessments of \$451.75 and the \$10.00 assignment fee of said parcel shall be paid by Situs Cultivation, LLC upon approval.  
 AYES: Laylin, Little, Schwartz, Trelka, White.  
 NAYS: None. Resolution adopted.

Moved by Laylin, seconded by Trelka to approve the PERSONNEL REQUISITION submitted for a Budget Administrator (full-time, replacement) effective March 14, 2022, as recommended by Catherine Nicholas, County Engineer.  
 Nicholas said this is to fill a vacant position. Motion carried.

Moved by Laylin, seconded by Schwartz that the Revision of the Black Hawk County General Assistance Policy and the Black Hawk County General Assistance Burial Policy, with the said changes to be effective as of July 1, 2022, be approved as recommended by Koleen Schipper, General Assistance Coordinator. Motion carried.

Moved by Trelka, seconded by Laylin to direct the County Auditor to advertise for a PUBLIC HEARING/BID OPENING to be held at 9:05 a.m. on March 22, 2022, in Board Room 201 of the Black Hawk County Courthouse, 316 E. 5th Street, Waterloo, Iowa on the proposed Fiscal Year 2023 Crack Sealing project in various locations throughout Black Hawk County. Motion carried.

Moved by Laylin, seconded by Schwartz to direct the County Auditor to advertise for a public hearing/bid opening to be held at 9:07 a.m. on Tuesday, March 22, 2022, in Board Room 201 of the Black Hawk County Courthouse, 316 E. 5th Street, Waterloo, Iowa on the proposed purchase of two (2) Motor Graders for the Black Hawk County Engineer's Office. Motion carried.

At Nine-eleven o'clock (9:11) a.m., a public hearing was held as provided by law in Board Room 201 of the Black Hawk County Courthouse, 316 E. 5th Street, Waterloo, Iowa at which time all interested persons could appear to file objections on the proposed fiscal year 2023 Seal Coat project.

Moved by Trelka, seconded by Laylin to receive and place on file proof of publication of notice of public hearing. Motion carried.

Moved by Trelka, seconded by Laylin to close the hearing after oral/written comments are received. Motion carried.

At nine-eleven o'clock (9:11) a.m. the Chair announced the time had arrived in accordance with prior action and as advertised, for the receiving and opening of bids for the proposed

The Board of Supervisors examined proof of publication of notice to bidders and determined that said notice had been published in the Waterloo Courier on March 1, 2022 in accordance with the requirements of the *Code of Iowa*.

The Chair announced the following sealed bids were all received by three o'clock (3:00) p.m. Monday March 1, 2022, as stated in the Notice to Bidders. The Engineer's estimated cost was \$119,050.00. The time of announcement being nine-eleven (9:11) a.m., the following bids were opened and read:

NAME	CITY	AMOUNT
Blacktop Service Co.	Humboldt, IA	\$102,354.00
Fahrner Asphalt Sealers LLC	Eau Claire, WI	\$130,337.50
Manatts, Inc.	Brooklyn, IA	\$ 92,058.50
Prairie Road Builders	Hazleton, IA	\$105,827.00

Moved by Trelka, seconded by Little that the Board of Supervisors receive and place on file the bids for the proposed fiscal year 2023 Seal Coat project to allow time to review said bids as recommended by Catherine Nicholas, County Engineer.

DISCUSSION/POSSIBLE BOARD ACTION – to purchase 6 vehicles for the Sheriff's office with ARP funds at a cost not to exceed \$300,000. Sheriff Tony Thompson said that during budget sessions Little had suggested using ARP funds for vehicles instead of Capital Improvement Plan (CIP) funds, but he (Thompson) was worried that this would disrupt the cycle of buying 3-5 vehicles a year through CIP. But Captain Mark Herbst suggested a way of purchasing six vehicles outside of the normal cycle that

Thompson thought made sense. Little said it would make sense as long as the savings are used for other projects in the jail that would normally use tax dollars. He moved to approve the purchase. The other supervisors said they wanted to hold off action until other uses of the funds were evaluated.

DISCUSSION – the use of ARP funds for employee retention pay. Human Resources Director Amanda Fesenmeyer said that the state is providing \$1000 bonuses for law enforcement (but not detention officers) and the county can look at giving other employees retention bonuses or premium pay. Little said that the county’s nurse retention problem is no different from anyone else’s and asked if the rest of the departments have retention problems. Fesenmeyer said not as prevalent as in Local Health, but the county is still losing people and would like to retain employees. Laylin said she wasn’t sure \$1000 would retain anyone. Fesenmeyer said that was why she would like to focus on premium pay, which is available to any employees who were in essential jobs during the pandemic. She said that it prioritizes low-and-moderate-income employees. There was uncertainty about which employees should be included. Finance Director James Perry said that exclusive of law enforcement officers included in the state bonuses there are about 310 county employees, so at \$1000 each the county’s layout would be \$310,000. White said that he sees the outside world as having a greater need, and that the county’s workforce is happy here. Fesenmeyer said that she would continue to look into the matter.

DISCUSSION – the appropriate decorum amongst elected officials when addressing each other and staff via both verbal and written communication. Trelka said he thought that elected officials should be subject to the same work rules as other county employees and with the Board’s support he would work with Assistant County Attorney Mike Treinen and Human Resources Director Fesenmeyer to amend the work rules to reflect that. Laylin said she supported the idea but wondered how it could be enforced. Little said that the work rules are for employees of the Board of Supervisors, but the Board and other elected officials answer to the voters and taxpayers of the county. White said that there is a chain of command like in the military. Trelka said that situations could be discussed in closed session and if a supervisor had not acted appropriately the rest of the Board could counsel them, which he thought would reduce the county’s liability in the case of a lawsuit. Little asked how a supervisor could be disciplined. Trelka said if the behavior is not modified the Board could pass a resolution admonishing the supervisor. Little said supervisors in a political majority could unjustly persecute members of the minority party. Trelka said they would answer to voters for doing so. Schwartz said he supported the idea as another layer of accountability and a reminder to elected officials of how they should conduct themselves. White said things that people aren’t aware of may come out into the open, and he thinks people with a grievance should take it to the elected official involved and discuss it face to face. Little said that he thinks any discussions that supervisors have with department heads should be shared with all the supervisors. Fesenmeyer said she would like any new policies to be consistent with current policies regarding a respectful work environment free from harassment. Trelka said he would work with Fesenmeyer and Treinen.

ANY REPORTS OR INFORMATION FROM THE BOARD. Laylin said that two cities said March 15 is during spring break and thus not a good time to present to the supervisors on requests for county ARP funding. White said he wasn’t sure about March 22 and he thought the cities could just present during public comments. Laylin said she would wait until after the 22<sup>nd</sup> to try to set a date.

#### CANVASS

At ten-ten o’clock (10:10) a.m., the Board of Supervisors of Black Hawk County, Iowa, sitting as a Board of Canvassers proceeded to CANVASS the returns of the Jesup Community School District Special Bond Election held Tuesday, March 1, 2022, for the portion of Black Hawk County lying in the Jesup Community School District, in accordance with the *Iowa Code* §50.24.

In accordance with §50.22 of the *Code of Iowa*, the Commissioner announced there were no provisional ballots rejected and not counted.

Trelka moved the following resolution seconded by Schwartz.

WHEREAS, the JESUP COMMUNITY SCHOOL DISTRICT SPECIAL BOND ELECTION was held as prescribed by law on March 1, 2022, now

BE IT HEREBY RESOLVED that we, the undersigned members of the Board of Supervisors and ex-officio Board of Canvassers of Black Hawk County, Iowa do hereby certify the outcome, in accordance with Iowa Code §50.24, of the votes cast in the JESUP COMMUNITY SCHOOL DISTRICT SPECIAL BOND ELECTION held March 1, 2022.

One hundred twenty-one (121) people voted at the polls on Election Day.

Ten (10) absentee ballots were accepted for counting.

One hundred thirty-one (131) people total voted.

AYES: Laylin, Schwartz, Trelka, White.

NAYS: None.

ABSENT: Little. Resolution adopted.

On motion and vote the meeting adjourned.

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Craig White, Chair, Board of Supervisors

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Grant Veeder, County Auditor